

Deposition of Mark T. Hanish

Oregon Firearms Federation, Inc., et al. v. Brown, et al.

January 13, 2023



206.287.9066 | 800.846.6989

1325 Fourth Avenue, Suite 1840, Seattle, Washington 98101

www.buellrealtime.com

email: info@buellrealtime.com



Oregon Firearms Federation, Inc., et al. v. Brown, et al.

Mark T. Hanish

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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

OREGON FIREARMS FEDERATION,)
INC., et al.,)
)
Plaintiffs,)
) Case Nos.
v.) 2:22-cv-01815-IM,
) 3:22-cv-01859-IM,
KATE BROWN, et al.,) 3:22-cv-01862-IM,
) 3:22-CV-01869-IM,
Defendants.)
)
)
)
(Continued))

* VIDEOCONFERENCE *
VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION
OF EXPERT
MARK T. HANISH

Witness located in:

Phoenix, Arizona

* All participants appeared via videoconference *

DATE TAKEN: JANUARY 13, 2023

REPORTED BY: Tia B. Reidt, Washington RPR, CSR #2798
Oregon #22-0001

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Ex. 5 - Wilson Decl.
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1 _____
2 (Continued))
3)
4 MARK FITZ, et al.,)
5 Plaintiffs,)
6 v.)
7)
8 ELLEN F. ROSENBLUM, et al.,)
9 Defendants.)
10 _____
11 KATERINA B. EYRE, et al.,)
12 Plaintiffs,)
13 v.)
14)
15 ELLEN F. ROSENBLUM, et al.,)
16 Defendants.)
17 _____
18 DANIEL AZZOPARDI, et al.,)
19 Plaintiffs,)
20 v.)
21)
22 ELLEN F. ROSENBLUM, et al.,)
23 Defendants.)
24 _____
25

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1 APPEARANCES
2

3 For the Eyre Plaintiffs:

4 SHAWN M. LINDSAY
5 JURISLAW, LLP
6 Three Centerpointe Drive, Suite 160
7 Lake Oswego, OR 97035
8 (503) 968-1475
9 Shawn@jurislawyer.com

10 For Fitz and Azzopardi Plaintiffs:

11 JAMES L. BUCHAL
12 MURPHY & BUCHAL, LLP
13 P.O. Box 86620
14 Portland, OR 97286
15 (503) 227-1011
16 Jbuchal@mbllp.com

17 For Oregon Firearms Federation:

18 LEONARD WILLIAMSON
19 VAN NESS WILLIAMSON
20 960 Liberty Street SE, Suite 100
21 Salem, OR 97302
22 (503) 365-8800
23 L.williamson@vwllp.com

24 For the Proposed Intervenor-Defendant Oregon Alliance
25 for Gun Safety:

26 ZACHARY J. PEKELIS
27 PACIFICA LAW GROUP
28 1191 Second Avenue, Suite 2000
29 Seattle, WA 98101
30 (206) 245-1700
31 Zach.Pekelis@PacificLawGroup.com

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1

APPEARANCES CONTINUED

2

For the non-intervenor defendants, governor, the
3 Attorney General, and the superintendent of the Oregon
state police:

4

BRIAN MARSHALL
5 OREGON DEPARTMENT OF JUSTICE
SPECIAL LITIGATION UNIT
6 100 SW Market Street
Portland, OR 97201
7 (971) 673-1800
Brian.S.Marshall@doj.state.or.us

8

Videographer:

9

BROOK YOUNG
BUELL REALTIME REPORTING
10 1325 Fourth Avenue, Suite 1840
Seattle, WA 98101
11 (206) 287-9066
Brook@BuellRealtime.com

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1 you know, searching for information through the NSSF
2 and online.

3 Q. Are you familiar with other sources of
4 estimates of the number of firearms owned in the United
5 States?

6 A. Not a particular one that I can point to other
7 than just being in the industry and hearing the
8 estimates year over year for total number of firearms.

9 Q. Why did you choose this report versus others
10 that exist?

11 A. In this one, finding it seemed to be -- and
12 conferring, again, with reaching out through the NSSF
13 and speaking with them, it was one that they had also
14 said was a good report.

15 Q. Who at NSSF did you talk to?

16 A. I would have to -- I can look. I mean, I know
17 I spoke with -- I think I conferred with Larry Keane.

18 Q. Do you know what Larry Keane's role was?

19 A. He's on the -- I don't know his specific role.
20 I know he's on the legal side of NSSF.

21 Q. And NSSF is paying you for this testimony?

22 A. Yes.

23 Q. What other reports did you consider when you
24 were deciding to -- what your testimony would be today?

25 A. The other one that I included in there, the

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1 2004 Chris Koper report, the variety of the annual
2 firearms and manufacturing reports that are available.

3 Q. Okay.

4 And the -- so the 2004 report that you're
5 referring to is the study of the assault weapons ban?

6 A. Yes, sir.

7 Q. It's a federal report?

8 A. Yes.

9 Q. Okay.

10 The manufacturing report is that 2020 page --
11 cover page you're talking about?

12 A. Yes, sir.

13 Q. Were there any reports that you considered
14 that are not attached to your declaration?

15 A. I mean, I looked through -- I looked through
16 other reports. I attached these because there was
17 information in there that I specifically referenced.

18 Q. What other reports did you review?

19 A. More of the AFMRs, the Annual Firearms
20 Manufacturing Reports. I looked through some import
21 reports, just general aggregated data to confirm, you
22 know, opinions.

23 Q. So you didn't encounter the 2021 National
24 Firearms Survey in your -- in your day-to-day work?

25 A. No, I did not.

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1 Q. And did you encounter the 2004 study in your
2 day-to-day work?

3 A. It had been quite some time since I had seen
4 that, but I revisited it with -- with these cases.

5 Q. And did Mr. Keane from NSSF also suggest the
6 2004 report?

7 A. No.

8 Q. How did you come across that?

9 A. Just researching.

10 Q. And by researching, you mean searching in
11 Google or did you use something else?

12 A. No, Google.

13 Q. Did you compare the estimates in the 2021
14 National Firearms Survey to any other sources?

15 A. Not directly.

16 Q. Do you have any source of information about
17 the 2021 National Firearms Survey other than the
18 information that is in the report itself?

19 A. Could you say that one more time? Do I
20 have --

21 Q. Do you know anything about the 2021 National
22 Firearms Survey that is not in the report itself?

23 A. No, other than looking at some of the
24 extensions on there and then, you know, having personal
25 knowledge of some of the things, you know, that all,

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1 you know, check out through, you know, just my personal
2 knowledge of it.

3 Q. And by extensions, do you mean the appendices
4 that you included in your report?

5 A. Yes.

6 Q. And those are part of the original SSRN
7 download?

8 A. Yes.

9 Q. Have you spoken to Dr. English before?

10 A. No, I have not spoken to Dr. English.

11 Q. Did you try to speak with Dr. English about
12 this report?

13 A. I did not.

14 Q. Why not?

15 A. The one or two pieces of information out of it
16 that, you know, supported my opinion on it is what I
17 referenced out of it, and that was it.

18 Q. Has the 2021 National Firearms Survey been
19 published in a peer-reviewed journal?

20 A. I do not know.

21 Q. How were the participants for this survey
22 recruited?

23 A. That I remember -- that is in the -- in the
24 document, and I don't know that you want me to read
25 that and regurgitate it. Or is that what you would

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1 like?

2 Q. Well -- well, can you correct me if I'm wrong
3 about this? The document doesn't say the number of
4 people who were given the initial screening instrument
5 that did not indicate what pieces of outdoor equipment
6 they used; is that right?

7 A. That, I can't -- I would have to find the
8 page on here because I remember there was a significant
9 number that they screened, and then there was some
10 discrimination or some discriminator questions to get
11 down to the folks that own firearms to be relevant to
12 the survey.

13 Q. Are you familiar --

14 A. (Speaking simultaneously.)

15 Q. Sorry.

16 Are you familiar with the term "nonresponse
17 bias"?

18 A. No.

19 Q. Are you an expert in survey methodology?

20 A. No.

21 Q. Are you familiar with -- with firearms
22 ownership on kind of a nationwide basis, or are you
23 more familiar with particular geographies?

24 A. I think that would depend upon the particular
25 question as far as -- I mean, I'm familiar in this

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1 C E R T I F I C A T E

2

3 STATE OF WASHINGTON

4 COUNTY OF PIERCE

5

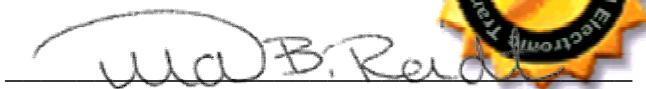
6 I, Tia Reidt, a Certified Court Reporter in and
7 for the State of Washington, do hereby certify that the
8 foregoing transcript of the deposition of MARK T.
9 HANISH, having been duly sworn, on January 13, 2023, is
10 true and accurate to the best of my knowledge, skill and
11 ability.

12 IN WITNESS WHEREOF, I have hereunto set my hand
13 and seal this 20th day of January, 2023.

14

15

16





17

18

19

/S/ Tia B. Reidt
Tia B. Reidt, RPR, CSR #22-0001
NOTARY PUBLIC, State of
Washington.
My commission expires
5/15/2026.

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21

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23

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